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Date	12/13/02		
To:	Asst. Commissioner of Patents Art Unit 1816 Attn: Shamila S. Gollamudi	From:	B.W. Sandt Attorney for Schilling et al
cc		Phone	(989) 631-6852
Fax:	(703) 305-3014	Fax	(989) 835-8030
Phone:		Pages:	3
Re:	SN 09/964,120		

Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

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Message

Attached please find two copies of a Notice of Appeal

Application No. 09/964,120

Inventor: Marvin L. Schilling et al

Filed: 9/25/2001

For: Method for Producing Biologically Active Products

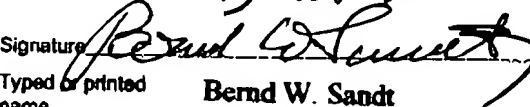

Bernd W. Sandt

PTO/SB/31 (02-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) BWS 00-07	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington D.C. 20231. (704) 305-2014 FAX		In re Application of Mervin L. Schilling et al.	
Signature  Typed or printed name Bernd W. Sandt		Application Number 09/964 120	Filed 09/25/01
		For Method for Producing Biol. Active Products	
		Group Art Unit 1616	Examiner S.S. Gohamudi

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) **\$ 320**

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: **\$ 160-**

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **190135**. I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

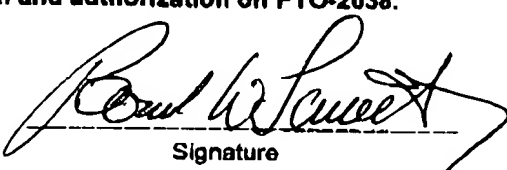
I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.
 See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

☒ attorney or agent of record.

☐ attorney or agent acting under 37 CFR 1.34(a).
 Registration number if acting under 37 CFR 1.34(a): _____


 Signature
Bernd W. Sandt
 Typed or printed name
12/13/02
 Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of **2** forms are submitted.

#9

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